

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

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ASTRAZENECA AB and ASTRAZENECA	:	
PHARMACEUTICALS LP,	:	
	:	
Plaintiffs,	:	
v.	:	C.A. No. 20-202-RGA
	:	(Consolidated)
ALEMBIC PHARMACEUTICALS	:	
LIMITED, et al.,	:	
	:	
Defendants.	:	
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ASTRAZENECA AB and ASTRAZENECA	:	
PHARMACEUTICALS LP,	:	
	:	
Plaintiffs,	:	
v.	:	C.A. No. 21-982-RGA
	:	
ALEMBIC PHARMACEUTICALS LIMITED,	:	
	:	
Defendant.	:	
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CONSENT JUDGMENT

AstraZeneca AB and AstraZeneca Pharmaceuticals LP (hereinafter collectively “AstraZeneca”), and Alembic Pharmaceuticals Limited (hereinafter “Alembic”), which are parties in the above-captioned consolidated actions, have agreed to terms and conditions representing a negotiated settlement of these actions and have set forth those terms and conditions in a Settlement Agreement (the “Settlement Agreement”). Now the parties, by their respective undersigned attorneys, hereby stipulate and consent to entry of judgment and an injunction in these actions as follows:

IT IS this 25th day of April, 2022:

ORDERED, ADJUDGED AND DECREED as follows:

1. This District Court has jurisdiction over the subject matter of the above actions and has personal jurisdiction over AstraZeneca and Alembic.

2. As used in this Consent Judgment, (i) the term “Alembic Products” shall mean the osimertinib mesylate tablets, 40 mg and 80 mg strengths, sold, offered for sale or distributed pursuant to Abbreviated New Drug Application No. 214195 (and defined in greater detail in the Settlement Agreement); and (ii) the term “Affiliate” shall mean, with respect to a Party, any entity or person that, directly or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with such Party. For purposes of this definition, “control” means (a) ownership, directly or through one or more intermediaries, of (i) more than fifty percent (50%) of the shares of stock entitled to vote for the election of directors, in the case of a corporation, or (ii) more than fifty percent (50%) of the equity interests in the case of any other type of legal entity or status as a general partner in any partnership, or (b) any other arrangement whereby an entity or person has the right to elect a majority of the board of directors or equivalent governing body of a corporation or other entity or the right to direct the management and policies of a corporation or other entity.

3. Except as specifically authorized pursuant to the Settlement Agreement, Alembic, including any of its Affiliates, successors and assigns, is enjoined from infringing U.S. Patent No. 10,183,020, on its own part or through any Affiliate, by making, having made, using, selling, offering to sell, importing or distributing the Alembic Products in or into the United States.

4. Compliance with this Consent Judgment may be enforced by AstraZeneca and its successors in interest, or assigns, as permitted by the terms of the Settlement Agreement.

5. This District Court retains jurisdiction to enforce or supervise performance under this Consent Judgment and the Settlement Agreement.

6. All claims, affirmative defenses, and demands in these actions between AstraZeneca and Alembic, and only between AstraZeneca and Alembic, are hereby dismissed with prejudice and without costs, disbursements or attorneys' fees.

/s/ Richard G. Andrews

Richard G. Andrews, U.S.D.J.

We hereby consent to the form and entry of this Order:

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